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OFFICIAL GAZETTE



GOVERNMENT OF GOA

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GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate, North Goa
Magisterial Branch

Order

No. 40/16/2022-MAG-ELN/L&O/Liquor/09

Under Section 144 of the Code of Criminal Procedure, 1973

Whereas the Election Commission of India has announced the General Election to Legislative Assembly 2022 in North Goa District scheduled to be held on 14-02-2022 and the Election Model Code of Conduct has already come into force with immediate effect.

And whereas to prevent undue influence of voters through distribution of liquor and to ensure free, fair, peaceful and orderly conduct of the election process, it is felt appropriate that the timings for closure of all liquor bars/shops, pubs, provision stores etc., needs to be curtailed;

And whereas Section 29(A) of the Goa Excise Duty Act, 1964 and Rules there under empowers the District Magistrate to order the closure of liquor bars, restaurants serving liquor, liquor shops, pubs, provision stores etc., at such times and for such period as may necessary and appropriate for preservation of public peace and tranquility.

And whereas in my considered opinion, there is sufficient ground for proceeding under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 for closure of all bars and all shops, pubs, provision stores, restaurants where liquors are being served or sold;

And whereas I am satisfied that the circumstances do not permit the serving in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973, I hereby pass the order ex-parte.

And whereas I Ajit Roy, IAS, District Magistrate, North Goa District in exercise of the powers vested in me under Section 144 of Code of Criminal Procedure, 1973 read with Section 29 A of the Goa Excise Act, 1964 do hereby order that serving or selling of liquor in all the liquor bars, pubs, shops, clubs, shacks or any establishment shall be closed everyday by 11:00 p.m. with immediate effect till the election Model Code of Conduct is in force. However, this order shall not apply to those establishments, provision stores etc., which are required by law to be closed before 11:00 p.m.

Only the sale and service of liquor in all liquor bars, shops, pubs, shacks, clubs, provision stores or any establishment in the whole of North Goa District shall be stopped every day by 11:00 p.m. till election Model Code of Conduct is in force. Such establishments can remain open and continue to operate without the sale and service of liquor beyond 11:00 p.m. Any violations of the above directions may be reported to the office of the District Election Officer, Panaji.

If any liquor shop/bar, pub or any establishment is found serving liquor beyond the aforesaid timings, during the said period, it shall result in cancellation of licenses and the owner or offender shall be liable for penal action under Section 188 of Indian Penal Code, 1908, Section 30 of the Excise Duty Act, 1964 and other relevant provisions of laws in force.

The Flying Squads, officials of the Excise Department, Sector Magistrate, Police or any other authorized officers/officials shall act immediately in case any violation comes to their notice or reported to them and should forthwith report such cases to the Commissioner of Excise and/or the Returning Officer concerned.

Given under my hand and seal of this office on this 13th day of January, 2022.

Panaji.—The District Magistrate & DEO (North),
Ajit Roy, IAS.

Public Notice

No. 40/16/2022-MAG-ELN/L&O/Liquor/10

Read: 1. This office Order No. 40/16/2022-MAG-ELN/L&O/Liquor/09 dated 13-01-2022.

It is hereby made known to all concerned that the District Magistrate and District Election Officer, North Goa vide Order No. 40/16/2022-MAG-ELN/L&O/Liquor/09 dated 13-01-2022 has issued an Order under Section 144(1) of the Code of the Criminal Procedure, 1973 ordering the closure of sale of liquor at all liquor bars, shops, pubs, shacks, clubs, provision stores or any establishment in North Goa District, by 11:00 p.m., with immediate effect till the Election Model Code of Conduct is in force. However, the said order is not applicable to those establishments, provision stores, etc., which are required by law to be closed before 11:00 p.m.

It is hereby clarified that only the sale and service of liquor in all liquor bars, shops, pubs, shacks, clubs, provision stores or any establishment in the whole of North Goa District shall be stopped every day by 11:00 p.m., till election Model Code of Conduct is in force. Such establishments can remain open and continue to operate without the sale and service of liquor beyond 11:00 p.m. Any violations of the above directions may be reported to the office of the District Election Officer, Panaji.

The Flying Squads/officials of the Excise Department/Sector Magistrate/Police or any other authorized officers/officials shall take note of the above directions and act accordingly.

Panaji, 13th January, 2022.—The District Magistrate & DEO (North), *Ajit Roy, IAS.*

Order

No. 40/16/2022-MAG-ELN/L&O/Rally/33

Under Section 144 of the Code of Criminal Procedure, 1973

Whereas the Election Commission of India has announced the General Election to Legislative

Assembly 2022 in North Goa District scheduled to be held on 14-02-2022 and the Election Model Code of Conduct has already come in to force with immediate effect.

And whereas in view of Press Note No. ECI-PN/8/2022 dated 15th January, 2022 issued by Election Commission of India, ban on physical rallies and roadshows is extended until 22-01-2022.

And whereas due to the prevailing situation in order to contain the spread of the pandemic, certain measures were undertaken and restrictions have been imposed under the Disaster Management Act, 2005 vide the Revenue Department's Order No. 1/5/29/2020-RD dated 29-12-2021 and the Order No. 23/20/2014-I/PHD/Part IV/63 dated 08-01-2022 issued by Public Health Department, as restrictions and measures are required to be continued, while additional restrictions need to be imposed to prevent the further spread of the diseases.

And whereas I am satisfied that the circumstances do not permit the serving in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973. I hereby pass the order ex-parte.

And whereas I, Ajit Roy, IAS District Magistrate North Goa District in exercise of the powers vested in me under Section 144 of Code of Criminal Procedure, 1973 and considering the present situation, facts and circumstances do hereby order,

- 1) No Roadshow, Pad-yatra, cycle/bike/vehicle rally and procession shall be allowed till 22nd January, 2022.
- 2) No physical rally of Political parties or candidates (including probable) or any other group related to election shall be allowed till 22nd January, 2022.
- 3) Public gatherings incase of halls/auditoriums etc. shall be restricted to 50 persons or 50% of the seating capacity which ever is less.
- 4) Political parties shall ensure the compliance of COVID appropriate behaviour and guidelines and Model Code of Conduct at all occasions during the activities connected with Election.
- 5) All remaining restrictions as contained in the Revised Board Guidelines for Conduct of Elections, 2022 issued on 8th January and 15th January, 2022 shall continue.

- 6) Not more than five persons are permitted to walk together for door to door campaign. A minimum distance of 200 meters must be maintained between two such groups.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 17th day of January, 2022.

Panaji.—The District Magistrate & DEO (North),
Ajit Roy, IAS.

Order

No. 40/16/2022-MAG-ELN/L&O/Rally/218

**Under Section 144 of the Code of Criminal
Procedure, 1973**

Whereas the Election Commission of India has announced the General Election to Legislative Assembly 2022 in North Goa District scheduled to be held on 14-02-2022 and the Election Model Code of Conduct has already come in to force with immediate effect.

And whereas in view of Press Note No. ECI-PIN/ /8/2022 dated 15th January, 2022 and No. ECI/PN/ /10/2022 dated 22nd January, 2022 issued by Election Commission of India, ban on physical rallies and road shows is extended until 31-01-2022.

And whereas due to the prevailing situation in order to contain the spread of the pandemic, certain measures were undertaken and restrictions have been imposed under the Disaster Management Act, 2005 vide the Revenue Department's Order No.1/5/29/2020-RD dated 29-12-2021 and the Order No. 23/20/2014-I/PHD/Part IV/63 dated 08-01-2022 issued by Public Health Department, as restrictions and measures are required to be continued, while additional restrictions need to be imposed to prevent the further spread of the disease.

And whereas I am satisfied that the circumstances do not permit the serving in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub section (2) of Section 144 of the Code of Criminal Procedure, 1973 I hereby pass the order ex-parte.

And whereas I Ajit Roy, IAS District Magistrate North Goa District in exercise of the powers vested in me under section 144 of Code of Criminal Procedure, 1973 and considering the present situation, facts and circumstances do hereby order,

- 1) No physical rally of Political parties and candidates (including probable) or any other group related to election shall be allowed till 31st January, 2022.
- 2) No Roadshow, Pad-yatra, cycle/bike/vehicle rally and procession shall be allowed till 31st January, 2022.
- 3) Door-to-Door campaigning shall be allowed for a maximum of 10 persons including candidates (excluding security personnel).
- 4) Political parties, candidates their party workers, shall ensure the compliance of COVID appropriate behaviour and guidelines and Model Code of Conduct at all occasions during the activities connected with the election.
- 5) Public gatherings incase of indoor halls/ /auditorium/mandaps etc. shall be restricted to a maximum of 50 persons or 50% of the sitting capacity whichever is less.
- 6) Political parties and candidates to conduct their campaigns as much as possible through virtual and digital media platforms.
- 7) No outdoor campaigning shall be allowed.
- 8) No campaigning is permitted between 8 p.m. and 8 a.m.

All remaining restrictions as contained in the Revised Board Guidelines for Conduct of Election 2022, issued on 8th January and 15th January, 2022 shall continue.

The Returning Officers/Assistant Returning Officers, Flying Squads, Sector Magistrates/Officer, Police or any other authorized Officers/Officials shall act immediately in case any violation comes to their notice or reported to them and initiate necessary action against the violator by filing FIR under appropriate section before the respective police station.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

This supersedes earlier Order No. 40/16/2022-MAG-ELN/L & O/Rally/33 dated 17-01-2022.

This Order shall be in force upto 31st January, 2022.

Given under my hand and seal of this office on this 22nd day of January, 2022.

Panaji.—The District Magistrate & DEO (North),
Ajit Roy, IAS.

Order

No. 40/16/2022-MAG-ELN/L&O/Rally/220

**Under Section 144 of the Code of Criminal
Procedure, 1973**

Whereas the Election Commission of India has announced the General Election to Legislative Assembly 2022 in North Goa District scheduled to be held on 14-02-2022 and the Election Model Code of Conduct has already come in to force with immediate effect.

And whereas in view of Press Note No. ECI-PIN/8/2022 dated 15th January, 2022 and No. ECI/PN/10/2022 dated 22nd January, 2022 issued by Election Commission of India, ban on physical rallies and road shows is extended until 31-01-2022.

And whereas due to the prevailing situation in order to contain the spread of the pandemic, certain measures were undertaken and restrictions have been imposed under the Disaster Management Act, 2005 vide the Revenue Department's Order No. 1/5/29/2020-RD dated 29-12-2021 and the Order No. 23/20/2014-I/PHD/Part IV/63 dated 08-01-2022 issued by Public Health Department, as restrictions and measures are required to be continued, while additional restrictions need to be imposed to prevent the further spread of the disease.

And whereas I am satisfied that the circumstances do not permit the serving in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub section (2) of Section 144 of the Code of Criminal Procedure, 1973 I hereby pass the order ex-parte.

And whereas I Ajit Roy, IAS District Magistrate North Goa District in exercise of the powers vested in me under section 144 of Code of Criminal Procedure, 1973 and considering the present situation, facts and circumstances do hereby order,

- 1) No physical rally of Political parties and candidates (including probable) or any other group related to election shall be allowed till 31st January, 2022.
- 2) No Roadshow, Pad-yatra, cycle/bike/vehicle rally and procession shall be allowed till 31st January, 2022.

- 3) Door-to-Door campaigning shall be allowed for a maximum of 10 persons including candidates (excluding security personnel).
- 4) Political parties, candidates their party workers, shall ensure the compliance of COVID appropriate behaviour and guidelines and Model Code of Conduct at all occasions during the activities connected with the election.
- 5) Public gatherings incase of indoor halls shall be restricted to a maximum of 300 persons or 50% of the capacity of the hall whichever is less.
- 6) Political parties and candidates to conduct their campaigns as much as possible through virtual and digital media platforms.
- 7) No outdoor campaigning shall be allowed.
- 8) No campaigning is permitted between 8 p.m. and 8 a.m.

All remaining restrictions as contained in the Revised Board Guidelines for Conduct of Election 2022, issued on 8th January and 15th January, 2022 shall continue.

The Returning Officers/Assistant Returning Officers, Flying Squads, Sector Magistrates/Officer, Police or any other authorized Officers/Officials shall act immediately in case any violation comes to their notice or reported to them and initiate necessary action against the violator by filing FIR under appropriate section before the respective police station.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

This supersedes earlier Orders No. 40/16/2022-MAG-ELN/L&O/Rally/33 dated 17-01-2022 and No. 40/16/2022-MAG-ELN/L&O/Rally/218 dated 22-1-2022.

This Order shall be in force upto 31st January, 2022.

Given under my hand and seal of this office on this 23rd day of January, 2022.

Panaji.—The District Magistrate & DEO (North),
Ajit Roy, IAS.

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